

## **WEDNESDAY, MARCH 25, 1981**

### **TWENTY-FIFTH LEGISLATIVE DAY**

The House met at 1:30 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Jerry Wilson, Methodist Minister, Ripley, Tennessee.

Representative Crain led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 99

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

The Speaker announced that Representative Martin was excused.

### **EXPLANATION OF VOTE**

I, Ray Clark, wish to change my vote on SB 434 and HB 322, which passed the House on March 18, 1981, from yes to no. I was not in my chair at the time of voting. I wish to be recorded as voting No.

Ray Clark.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to request the return of House Bill No. 740, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

On motion of Mr. Davis (Pickett), House Bill No. 740 was returned to the Senate as requested.

**WEDNESDAY, MARCH 25, 1981—25th LEGISLATIVE DAY**

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 200, 314, 330, 466, 554, 794, 977, 978, 979, 1023, 1045, 1067, 1083; and House Joint Resolutions Nos. 76, 96, 103, 107, 109, 112, 113, 118, 120, 121 and 127; for his action.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 182, 192, 229, 282, 297, 354, 605, 710 and 961; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 76, 151, 161, 193, 277, 386, 405, 521, 875, 1029, 1039, 1066, 1162 and 1163; and House Resolution No. 21; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 76, 151, 161, 193, 277, 386, 405, 521, 875, 1029, 1039, 1066, 1162 and 1163; House Resolution No. 21; and Senate Bills Nos. 182, 192, 229, 282, 297, 354, 605, 710 and 961.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 172 and 105 with his approval.

JULIA GIBBONS,  
*Counsel to the Governor.*

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bill No. 627, with his approval.

JULIA GIBBONS,  
*Counsel to the Governor.*

Mr. Shockley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 137 out of order, which motion prevailed.

House Joint Resolution No. 137—Relative to honoring Morristown East High School Basketball Teams—By Shockley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Shockley, the resolution was adopted.

A motion to reconsider was tabled.

CALENDAR

House Bill No. 358—To provide for determination exempt property of schools.

On motion, House Bill No. 358 was made to conform with Senate Bill No. 614.

On motion, Senate Bill No. 614, on same subject, was substituted for House Bill No. 358.

Mr. Smith moved that Senate Bill No. 614 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

Representative voting no was: Pickering—1.

A motion to reconsider was tabled.

Mr. Henry (Roane) moved that House Bill No. 687 be placed on the Calendar for Wednesday, April 8, 1981, which motion prevailed.

House Bill No. 476—To allow plea agreements in criminal cases.

Mr. Buck moved that House Bill No. 476 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark

(Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

Representative present and not voting was: Pickering—1.

A motion to reconsider was tabled.

House Bill No. 74—To regulate transportation, school pupils.

Mr. Buck moved that House Bill No. 74 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

### AMENDMENT NO. 1

Amend House Bill No. 74 by deleting the amendatory language in Section 1 in its entirety and substituting instead the following:

( ) The state board of education shall permit the use of conventional school buses for a period of twelve (12) years of service. The commissioner of education may grant waivers for an additional three (3) years on a year-to-year basis. The owner of the bus may apply for a waiver after twelve (12) years of service on a year-to-year basis upon the following conditions:

(1) Any bus with over twelve (12) years of use, but not more than fifteen (15) years of use shall be inspected by the commissioner of education or his designee at least twice annually.

(2) At such inspections, the inspector shall have the authority to require repairs or reconditioning to be made which he considers necessary for the continued safe use and operation of the bus. If the local authority or owner refuses to take the required action or if the inspection considers continued use of the bus to be unsafe, he shall order its removal from service.

(3) In addition to any other repairs, replacements, or reconditioning required by the inspector, the steering, braking, and exhaust systems of all conventional buses with over twelve (12) years of service shall be thoroughly reconditioned or replaced, as necessary, prior to any continued use.

On motion, the amendment was adopted.

Thereupon, House Bill No. 74, as amended, passed its third and final consideration by the following vote:

Ayes .....	95
Noes .....	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark

(Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

Representatives voting no were: Davis (Gibson), DeBerry, McKinney and Pruitt—4.

A motion to reconsider was tabled.

House Bill No. 477—To allow condemnation of land, highway purposes.

Mr. Buck moved that House Bill No. 477 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

Representative voting no was: Brewer—1.

A motion to reconsider was tabled.

House Bill No. 563—To amend Chapter 54, Title 7, Code.

On motion, House Bill No. 563 was made to conform with Senate Bill No. 747.

On motion, Senate Bill No. 747, on same subject, was substituted for House Bill No. 563.

Mr. Davis (Hamilton) moved that Senate Bill No. 747 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

#### AMENDMENT NO. 1

Amend Senate Bill No. 747 so as:

1. To insert between the first and second sentences of Section 5(d) the following sentence:  
 “Any county which contracts with a municipality in connection with such municipi-

pality's construction, operation or management of an energy production facility, if and to the extent the county may choose, shall have exclusive jurisdiction and exclusive right to control the collection and disposal of solid waste within that portion of the county's boundaries not located within the corporate limits of a municipality."

On motion, the amendment was adopted.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 747 so as:

to delete subsection (g) of Section 5 in its entirety and to substitute therefor the following new subsection:

"(g) Notwithstanding the limitations contained in any general statutory provisions granting municipalities the right of eminent domain or condemnation, for the purposes of this act any municipality proceeding with the construction, operation, maintenance or management of an energy production facility is authorized and empowered within its boundaries to condemn any land, easement or rights-of-way, either on, under or above the ground, for any and all purposes necessary in connection with the construction, operation and maintenance of an energy production facility or improvement thereto. Title to property so condemned shall be taken in the name of the municipality."

On motion, the amendment was adopted.

Mr. Davis (Hamilton) moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 747 so as:

To amend Section 5 (d) by changing the period at the end thereof to a semicolon and to add thereafter the following language:

"Provided, however, that manufacturing firms which hold state permits to dispose of or utilize their own solid wastes on plant property at the time of enactment of this Act shall not be subject to the provisions of this Chapter except by mutual agreement between plant management and the municipality."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 747, as amended, passed its third and final consideration by the following vote:

Ayes .....	95
Noes .....	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh,

WEDNESDAY, MARCH 25, 1981—25th LEGISLATIVE DAY

Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

Representatives voting no were: Ford, Huskey, King (Washington) and McKinney—4.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer Speaker pro tem.

House Bill No. 910—To set interest rate, certain judgments.

Mr. Bell (Knox) moved that House Bill No. 910 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

Mr. McNally moved that House Bill No. 708 be placed on the Calendar for Wednesday, April 1, 1981, which motion prevailed.

House Bill No. 797—To provide for foster care review.

Mr. Robertson moved that House Bill No. 797 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

## WEDNESDAY, MARCH 25, 1981—25th LEGISLATIVE DAY

Representative voting no was: Crain—1.

A motion to reconsider was tabled.

House Bill No. 85—To amend Section 2-19-116, Code.

Ms. Gaia moved that House Bill No. 85 be passed on third and final consideration.

Mr. Copeland moved to amend as follows:

### AMENDMENT NO. 1

Amend House Bill No. 85 by adding a Section

This act shall not apply in counties having a population of not less than 254,000 nor more than 255,000 according to the 1970 Fed census or any subsequent census

On motion, the amendment was adopted.

Mr. Withers moved that House Bill No. 85 be rejected.

Mr. Cobb moved that the motion be tabled, which motion prevailed by the following vote:

Ayes .....	57
Noes .....	31
Present and not voting .....	4

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bivens, Bragg, Buck, Burnett, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Roane), Hillis, Hudson, Huskey, Jared, Kent, Kernell, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Naifeh, Owen, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Spence, Stallings, Sterling, Tanner, Ussery, Wallace, Wheeler, Wix and Wood—57.

Representatives voting no were: Baker, Bewley, Byrd, Chiles, Davis (Hamilton), Duncan, Henry (Blount), Hurley, Johnson, Jones, Kelley, King (Shelby), Love, Lowe, McKinney, Miller, Murphy (Shelby), Murray, Pruitt, Robertson, Robinson (Hamilton), Shirley, Small, Smith, Stafford, Turner, Webb, Whitson, Withers, Wolfe and Work—31.

Representatives present and not voting were: Lashlee, Percy, Richardson and Yelton—4.

Mr. Ellis moved to amend as follows:

### AMENDMENT NO. 2

Amend House Bill No. 85 by inserting the following language as a new section immediately preceding the final section and by appropriately renumbering such final section:

Provisions of this act shall not apply to any county having a metropolitan form of government.

Ms. Gaia moved that House Bill No. 85 be placed on the Calendar for Wednesday, April 1, 1981, which motion prevailed.



## WEDNESDAY, MARCH 25, 1981—25th LEGISLATIVE DAY

Mr. Covington moved that House Bill No. 503 be placed on the Calendar for Wednesday, April 1, 1981, which motion prevailed.

House Bill No. 566—To repeal Sections 39-4001 and 39-4002, Code.

Mr. Covington moved that House Bill No. 566 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	71
Noes .....	20
Present and not voting .....	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Ellis, Ford, Frensey, Gaia, Gill, Hillis, Hudson, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Lowe, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Richardson, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Spence, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Withers, Wix, Work and Mr. Speaker McWherter—71.

Representatives voting no were: Buck, Crain, Duncan, Harrill, Henry (Roane), Hurley, King (Washington), McAfee, McKinney, Robertson, Robinson (Hamilton), Scruggs, Shockley, Small, Stafford, Wheeler, Whitson, Wolfe, Wood and Yelton—20.

Representatives present and not voting were: Dills, Henry (Blount), Love and Pruitt—4.

A motion to reconsider was tabled.

House Bill No. 712—To permit reduction of sentence, certain prisoners.

On motion, House Bill No. 712 was made to conform with Senate Bill No. 494.

On motion, Senate Bill No. 494, on same subject, was substituted for House Bill No. 712.

Mr. Moore moved that Senate Bill No. 494 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

A motion to reconsider was tabled.

## WEDNESDAY, MARCH 25, 1981—25th LEGISLATIVE DAY

House Bill No. 711—To amend Section 41-1257, Code.

On motion, House Bill No. 711 was made to conform with Senate Bill No. 492.

On motion, Senate Bill No. 492, on same subject, was substituted for House Bill No. 711.

Mr. Moore moved that Senate Bill No. 492 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

### AMENDMENT NO. 1

Amend Senate Bill No. 492 by adding:

The provisions of this act shall not apply to counties with a Metropolitan form of government.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 492, as amended, passed its third and final consideration by the following vote:

Ayes .....	96
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Usery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

Representative voting no was: Wix—1.

A motion to reconsider was tabled.

House Bill No. 710—to make provisions, certain fees, sheriffs.

Mr. Moore moved that House Bill No. 710 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson),

Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

House Bill No. 186—To grant unused sick leave to teachers.

Mr. Bivens moved that House Bill No. 186 be passed on third and final consideration.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 186 by deleting the date “December 31, 1959” in the amendatory language of Section 1 and substituting instead the date “July 1, 1955”.

AND FURTHER AMEND by redesignating Section 2 to be Section 3 and adding a new Section 2 as follows:

SECTION 2. Tennessee Code Annotated, Section 49-1314, is further amended in subsection (c)(2) by deleting the date “July 1, 1965” i the last sentence thereof and substituting instead the date “July 1, 1955”.

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 186 by inserting the words “and state employee” after the word “teacher” and before the word “whose” in Section 1.

On motion, the amendment was adopted.

Thereupon, House Bill No. 186, as amended, passed its third and final consideration by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

House Bill No. 450—To define certain duties, school superintendents.

On motion, House Bill No. 450 was made to conform with Senate Bill No. 691.

On motion, Senate Bill No. 691, on same subject, was substituted for House Bill No. 450.

Mr. Bivens moved that Senate Bill No. 691 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

House Bill No. 587—To amend Title 5, Chapters 5 and 6, Code.

Mr. Bivens moved that House Bill No. 587 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

On motion, Senate Bill No. 319 was recalled from the Committee on Education.

House Bill No. 449—To amend Section 49-1306, Code.

On motion, House Bill No. 449 was made to conform with Senate Bill No. 319.

On motion, Senate Bill No. 319, on same subject, was substituted for House Bill No. 449.

Mr. Bivens moved that Senate Bill No. 319 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 319 by deleting the last section in its entirety and by substituting instead the following:

Section 2. This act shall take effect on July 1, 1981 the public welfare requiring it.

On motion, the amendment was adopted.

Mr. DePriest moved the previous question, which motion prevailed by the following vote:

Ayes .....	66
Noes .....	22
Present and not voting .....	1

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Jared, Kelley, King (Shelby), King (Washington), Lowe, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Spence, Stafford, Starnes, Sterling, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Work and Yelton—66.

Representatives voting no were: Bell (Knox), Bell (Wilson), Duncan, Ford, Hillis, Huskey, Johnson, Kent, Lashlee, McNally, Montgomery, Murray, Naifeh, Richardson, Robertson, Scruggs, Smith, Stallings, Tanner, Wallace, Wolfe and Wood—22.

Representative present and not voting was: Mr. Speaker McWherter—1.

A motion to reconsider was tabled.

Thereupon, Senate Bill No. 319, as amended, passed its third and final consideration by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

House Bill No. 632—To require principals report probable violation drug laws.

Mr. King (Washington) moved that House Bill No. 632 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

Representative voting no was: Dills—1.

A motion to reconsider was tabled.

House Joint Resolution No. 59—Relative to urging Department of Education, certain notification.

Mr. Robinson (Hamilton) moved that House Joint Resolution No. 59 be adopted, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

House Bill No. 561—To provide parking privileges, handicapped persons.

On motion, House Bill No. 561 was made to conform with Senate Bill No. 857.

On motion, Senate Bill No. 857, on same subject, was substituted for House Bill No. 561.

Ms. Montgomery moved that Senate Bill No. 857 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

Mr. Shockley moved that House Bill No. 741 be re-referred to the committee on Finance, Ways and Means, which motion prevailed.

House Bill No. 615—To provide for special license plates, National Guard.

On motion, House Bill No. 615 was made to conform with Senate Bill No. 865.

On motion, Senate Bill No. 865, on same subject, was substituted for House Bill No. 615.

Mr. Tanner moved that Senate Bill No. 865 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

House Bill No. 836—To regulate competitive bidding.

On motion, House Bill No. 836 was made to conform with Senate Bill No. 592.

On motion, Senate Bill No. 592, on same subject, was substituted for House Bill No. 836.

Mr. Webb moved that Senate Bill No. 592 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

A motion to reconsider was tabled.

House Bill No. 911—To increase litigation tax, Smith County.

Mr. Davis (Pickett) moved that House Bill No. 911 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0
Present and not voting .....	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

Representatives present and not voting were: Brewer and Copeland—2.

A motion to reconsider was tabled.

House Bill No. 885—To impose privilege taxes, Putnam County.

Mr. Jared moved that House Bill No. 885 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	4
Present and not voting .....	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy,



Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

Representatives voting no were: Chiles, Cobb, King (Washington) and Scruggs—4.

Representatives present and not voting were: Brewer and Copeland—2.

A motion to reconsider was tabled.

### RESOLUTION LYING OVER

Senate Joint Resolution No. 59—Relative to naming Agriculture Museum, Oscar L. Farris.

The Speaker referred Senate Joint Resolution No. 59 to the Committee on Conservation and Environment.

### SECOND ROLL CALL

The roll call was taken with the following results:

Present ..... 99

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

### INTRODUCTION OF RESOLUTIONS

House Resolution No. 22—Relative to providing study, workmen's compensation—By Lashlee and Naifeh.

The Speaker referred House Resolution No. 22 to the Committee on Judiciary.

House Joint Resolution No. 131—Relative to honoring McKenzie School Board—By Kelley.

Under the rules, House Joint Resolution No. 131 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 132—Relative to declaring "Walk For Mankind Day"—By McNally.

Under the rules, House Joint Resolution No. 132 was referred to the Committee on Calendar and Rules.

## **WEDNESDAY, MARCH 25, 1981—25th LEGISLATIVE DAY**

House Joint Resolution No. 133—Relative to honoring Ed and Bernice Shalett—By Starnes.

Under the rules, House Joint Resolution No. 133 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 134—Relative to memory, Dr. William Patton—By Starnes and McAfee.

Under the rules, House Joint Resolution No. 134 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 135—Relative to congratulating Mt. Juliet High School girls basketball team—By Bell (Wilson).

Under the rules, House Joint Resolution No. 135 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILLS**

House Bill No. 1242—To regulate privileges taxable under Business Tax Act—By Stafford, Henry (Blount) and Huskey.

Passed first consideration.

House Bill No. 1243—To amend charter, Hohenwald—By Work.

Passed first consideration.

House Bill No. 1244—To enact the Agricultural Development Act—By Robinson (Washington).

Passed first consideration.

House Bill No. 1245—To regulate subdivision of land, Norris City—By Wheeler.

Passed first consideration.

House Bill No. 1246—To impose certain privilege tax, Cumberland County—By Jared and Duer.

Passed first consideration.

House Bill No. 1247—To amend Charter, Lebanon—By Bell (Wilson).

Passed first consideration.

House Bill No. 1248—To repeal Chapter 381, Private Acts, 1972—By Bell (Wilson).

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 36—To amend Section 59-8-202, Code.

Passed first consideration.

Senate Bill No. 72 —To repeal Section 55-8-152, subsection (g), Code.

**WEDNESDAY, MARCH 25, 1981—25th LEGISLATIVE DAY**

Passed first consideration.

Senate Bill No. 128—To amend Sections 37-203, 37-204 and 37-246, Code.

Passed first consideration.

Senate Bill No. 502—To amend Section 45-5-503, Code.

Passed first consideration.

Senate Bill No. 572—To amend Section 3002, Title 67, Code.

Passed first consideration.

Senate Bill No. 601—To repeal Section 57-1-206, Code.

Passed first consideration.

Senate Bill No. 748—To amend Title 53, Chapter 23, Code.

Passed first consideration.

Senate Bill No. 911—To amend Section 67-5806, Code.

Passed first consideration.

Senate Bill No. 1098—To regulate educational cooperatives.

Passed first consideration.

Senate Bill No. 1176—To amend Section 51-216, Code.

Passed first consideration.

Senate Bill No. 1177—To amend Title 51, Sections 220, 439 and 501, Code.

Passed first consideration.

Senate Bill No. 1202—To amend Title 51, Chapter 4, Code.

Passed first consideration.

**SENATE BILL ON SECOND CONSIDERATION**

Senate Bill No. 368—To amend Title 62, Chapter 7, Code.

Passed second consideration and referred to Committee on Judiciary.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1240—To delete Section 2, Chapter 29, Public Acts, 1981.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1241—To make certain provisions, Board of Education, Marion County.

Passed second consideration and held without reference.

STANDING COMMITTEE REPORTS

AGRICULTURE

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 436, 981 (with amendment), 1048 and 1126 (with amendment); and House Resolution No. 17.

PICKERING, *Chairman*.

Under the rules, House Bills Nos. 436, 981, 1048, 1126 and House Resolution No. 17 were transmitted to the Committee on Calendar and Rules.

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 619, 826, 834, 886, 984, 1004 (with amendment), 1007 and 1061 and further recommend that pursuant to House Rule No. 70, House Bills Nos. 1004 and 1007 be referred to the Committee on Finance, Ways and Means.

MURRAY, *Chairman*.

Under the rules, House Bills Nos. 619, 826, 834, 886, 984 and 1061 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 1004 and 1007 to the Committee on Finance, Ways and Means.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 446, 713, 759, 1011 (with amendment), 1154, House Resolutions Nos. 15 and 16; and House Joint Resolution No. 125.

HILLIS, *Chairman*.

Under the rules, House Bills Nos. 446, 713, 759, 1011, 1154, House Resolutions Nos. 15 and 16, and House Joint Resolution No. 125 were transmitted to the Committee on Calendar and Rules.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 355 (with amendment), 506, 512, 548, 891, 973 (with amendment) and 987 (with amendment).

LASHLEE, *Chairman*.

Under the rules, House Bills Nos. 355, 506, 512, 548, 891, 973 and 987 were transmitted to the Committee on Calendar and Rules.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 611, 612 and 1027.

BRAGG, *Chairman*.

Under the rules, House Bills Nos. 611, 612 and 1027 were transmitted to the Committee on Calendar and Rules.

### **GOVERNMENT OPERATIONS**

**MR. SPEAKER:** Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bill No. 536.

**DAVIS** (Hamilton), *Chairman*.

Under the rules, House Bill No. 536 was transmitted to the Committee on Calendar and Rules.

### **JUDICIARY**

**MR. SPEAKER:** Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 452, 454, 479 (with amendment), 546, 604 (with amendment), 682, 735 (with amendment), 736 (with amendment), 737, 738, 1056, 1075, 1091, 1140, 1145 (with amendment); and Senate Joint Resolution No. 36 and further recommend that pursuant to House Rule No. 70, House Bill No. 682 be referred to the Committee on Finance, Ways and Means.

**MURPHY** (Shelby), *Chairman*.

Under the rules, House Bills Nos. 452, 454, 479, 546, 604, 735, 736, 737, 738, 1056, 1075, 1091, 1140, 1145; and Senate Joint Resolution No. 36 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 682 to the Committee on Finance, Ways and Means.

### **STATE AND LOCAL GOVERNMENT**

**MR. SPEAKER:** Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 309, 451, 531, 534, 582 (with amendment) and 995 (with amendment).

**MILLER**, *Chairman*.

Under the rules, House Bills Nos. 309, 451, 531, 534, 582 and 995 were transmitted to the Committee on Calendar and Rules.

### **TRANSPORTATION**

**MR. SPEAKER:** Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 882 (with amendments), 1003 (with amendments) and 1148 (with amendment) and further recommend that pursuant to House Rule No. 70, House Bills Nos. 882, 1003 and 1148 be referred to the Committee on Finance, Ways and Means.

**ROBINSON** (Davidson), *Chairman*.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 882, 1003 and 1148 to the Committee on Finance, Ways and Means.

**WEDNESDAY, MARCH 25, 1981—25th LEGISLATIVE DAY**

**EXPLANATION OF VOTE**

Dear Mr. Speaker:

Although it was necessary for me to be absent for business reasons on March 19, 1981, I request that my votes on the following bills be recorded in the Journal:

March 19, 1981:

HB 385 No; SB 704 Aye; HB 1023 Aye; HB 57 Aye; HB 961 Aye; HB 840 Aye; HB 320 Aye; SB 210 Aye; SB 605 Aye; HB 165 Aye; SB 297 Aye; SB 710 Aye; SB 229 Aye; HB 871 Aye; HB 875 Aye; HB 487 Aye; HB 549 Aye; HB 1162 Aye; HB 1163 Aye; HB 924 Aye; SB 282 Aye; HB 924 Aye; HB 314 Aye.

Loy L. Smith

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, March 26, 1981: House Bills Nos. 1000, 668, 951, 670, 766, 821, 838, 640, 639, 829, 542, 985, 303, 774, 883, 296, 12 and 842.

GILL, *Chairman.*

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 418, 555, 1235, 1236, 1238 and 1239.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.

740—To regulate Gainesboro Port Authority.

The Senate lifted from table the motion to reconsider; reconsidered action in passing the bill; adopted Senate Amendment No. 1, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

57—To amend Section 2-1-112, Code;

149—To amend Title 63, Chapter 10, Code;

318—To amend Sections 47-3-104 and 47-3-106, Code; all substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**MOTION**

On motion of Mr. Dills House Bill No. 136 was recalled from the Committee on State and Local Government.

On motion of Mr. Dills, House Bill No. 136 was withdrawn from the House.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 74, 476, 477, 797 and 910; and House Joint Resolution No. 137; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 1162 and 1163; both signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1162 and 1163; for his action.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 276—Johnson

House Bill No. 449—Baker

House Bill No. 450—Baker (co-prime)

House Bill No. 553—DePriest

House Bill No. 561—Hurley

House Bill No. 850—Buck

House Bill No. 892—Gaia

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

317—To amend Section 45-3-701(c), Code;

1161—To establish purchasing procedures, Putman County;

1201—To make certain provisions, Warren County Utility District; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 186, 566, 587, 632, 710, 885 and 911; and House Joint Resolution No. 59; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**REPORT OF DELAYED BILLS COMMITTEE**

Pursuant to Rule No. 76, the Delayed Bills Committee has met and approved House Bill No. 1244 for consideration by the appropriate standing committee.

NED R. McWHERTER

JAMES M. HENRY

S. THOMAS BURNETT

**REPORT OF STANDING COMMITTEE**

**GENERAL WELFARE**

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 432 (with amendment), 553 (with amendment), 666, 690 and 1053; and further recommend that House Bill No. 432 be referred to the Committee on Finance, Ways and Means.

STARNES, *Chairman.*

Under the rules, House Bills Nos. 553, 666, 690 and 1053 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 432 to the Committee on Finance, Ways and Means.

On motion of Mr. Burnett, the House adjourned until 10:00 a.m. tomorrow.